

# EXHIBIT 1

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

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JUAN CARLOS EMDEN, MICHEL  
EMDEN, and NICOLÁS EMDEN,

*Plaintiffs,*

v.

THE MUSEUM OF FINE ARTS, HOUSTON,

*Defendant.*

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Case No. 4:21-cv-03348

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**DECLARATION OF HILLARY KRAMER LYNCH**

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I, Hillary Lynch, hereby declare and state as follows:

1. My name is Hillary Kramer Lynch and I am over the age of twenty-one. The testimony contained in this Declaration is based upon my personal knowledge and the facts stated are true and correct. I am competent to testify to the matters stated in this Declaration.

2. I am an attorney with Platt Cheem Richmond PLLC and represent the Plaintiffs in this action.

3. Attached as Exhibit A is a Receipt for Cultural Objects, dated April 15, 1946, which is a true and accurate copy found in the National Archives and Records Administration's digitization of records from microfilm publication M1946, RECORDS CONCERNING THE CENTRAL COLLECTING POINTS ("ARDELIA HALL COLLECTION"): MUNICH CENTRAL COLLECTING POINT, 1945–1951.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on January 28, 2022.



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**Hillary Kramer Lynch**

# EXHIBIT A



Dutch Receipt No 10 a USFET, including 140 items

ALLIED CONTROL AUTHORITY

647

File

REPARATIONS, DELIVERIES AND RESTITUTION DIRECTORATE

RECEIPT FOR CULTURAL OBJECTS

The undersigned, Lt. Col. A.P.A. VORENKAMP, duly accredited by the Dutch Government, hereby acknowledges the receipt on behalf of the said Government, from the UNITED STATES OF AMERICA Commander in Chief in Germany, for the items described in schedule "A" attached hereto.

1. The delivery of these items is submitted to following conditions:

a. In the event of the items coming within the ambit of a general restitution procedure that may later be established by the Allied Powers, the receiving Government will agree to the transfer being submitted for confirmation by a restitution Commission or other international body which may be established to deal with this matter and will abide by its decision.

b. In the event of such confirmation, the transfer will be subject to all the conditions laid down for restitution deliveries generally.

c. In the event of items not coming within the ambit of such restitution procedure, the transfer shall be dealt with in accordance with such procedure as may be established for other deliveries.

2. The receiving government hereby certifies that the items described in Schedule "A" attached were taken out of that country by the enemy.

3. The receiving government undertakes to restore any object which has been delivered to it by mistake:

a. To the government of the allied state if the property was removed by the enemy from the territory of that state;

b. To the Headquarters of the Zone from which it was shipped, if it had not been removed from the territory of an Allied state.

4. The receiving government agrees that the occupying power and all its agents and representatives shall be saved harmless from any claim for loss, damage or deterioration suffered by any item from the time of its removal from the jurisdiction or custody of the country receiving restitution until its return thereto.

*Edwin C. RAE*  
Capt. Edwin C. RAE, AC  
Chief M.F.A. & A. Section  
Restitution Branch

\_\_\_\_\_  
Witness

15 April 1946

\_\_\_\_\_  
Date

Central Collecting Point  
Munich

\_\_\_\_\_  
Place

*A.P.A. Vorenkamp*  
\_\_\_\_\_  
Signature

Lt. Col. A.P.A. VORENKAMP

\_\_\_\_\_  
Signature typed

Commissioner General for Netherlands,  
Economic Recuperation

\_\_\_\_\_  
Title or Capacity of Signer

b/o A.P.A. Vorenkamp Lt. Col

DISTRIBUTION:

Original and one copy - Office of Military Government (U.S. Zone)  
1 - Office of Military Government for Germany (U.S.)  
1 - Representative of receiving nation  
1 - Office of Military Government for Bavaria



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SCHEDULE "A"

ITEM	DESCRIPTION (Including Statement of Condition of Object)	
34. 2588	D.Teniers	Twelfth night
35. 2590	Jan Steen	A wedding in the village
36. 2596	Master of the life of the Virgin	Visitation of Maria
37. 2643	L.v.Wieris	Chicken-seller
38. 2911	K.Molenaar	Landscape with mill
39. 2993	J.v.Goyen	Winter-river-scene
40. 3017	Th. Michan	Landscape w.river and flock
41. 3031	Bartolomäus Breenberg	Roman landscape
42. 3040	J. Ochtervelt	a lady conversing w.her maid
43. 3043	J.van Goyen	Landscape w.farm-houses and people
44. 3058	Cornelis Dussart	Country-feast
45. 3064	J. Esselens	On the sea-side
46. 3066	G. Flegel	Still-life
47. 3678	P. Claesz	Still-life
48. 3727	Franz Timmermann	Decapitation of St.John the Baptist
49. 3809	B.v.Orley	The descent from the cross
50. 3872	Brekelenkamp	Pupping
51. 3948	Aelbert Cuyp	View of Wondrigham
52. 3950	Pieter Lastmann	Roman triumph
53. 3957	W. Kalff	Still-life
54. 4009	D.D. de Heem	Fruit-still-life
55. 4027	Gerrit Berckheyde	Interior of a church
56. 4044	Aert v.d.Neer	Moonlight landscape
57. 4061	Emanuel de Witte	Interior of a church
58. 4064	Willem C. Heda	Still-life
59. 4073	A.van Beyeren	Still-life
60. 4088	M. Simons	Still-life
61. 4092	Nicolaus Maes	The barrel-organ-player
62. 4326	J. Verkolje	The letter
63. 4411	Canaletto	Marketsquare at Pirna
64. 4471	A. de Gelder	Hamas before Ahasver
65. 4484	P. Bol	Couple in landscape
66. 4485	E.de Witte	Interior of a church
67. 4811	Jan Steen	The smoker
68. 4888	Pietro Mattoni	Young soldier
69. 4904	A.v.Dyck	Adoration of the shepherds
70. 4921	J.G. Hainz	Still-life
71. 4927	S.v.Ruysdael	River-scene
72. 4947	J.A.Duck	Interior with soldiers

APP 0007